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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 MINDS, INC., et al.

12 Plaintiff(s),

13 v.

14 ROBERT A. BONTA

15 Defendant(s).
16
17
18

CASE NO.

2:23-cv-02705-RGK-MAA

**STANDING ORDER REGARDING
NEWLY ASSIGNED CASES**

19 **READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.**

20 This action has been assigned to the calendar of Judge R. Gary Klausner.

21 The responsibility for the progress of litigation in the Federal Courts falls not only
22 upon the attorneys in the action, but upon the Court as well. “To secure the just,
23 speedy, and inexpensive determination of every action,” Federal Rule of Civil
24 Procedure 1, all counsel are hereby ordered to familiarize themselves with the
25 Federal Rules of Civil Procedure, particularly Federal Rules of Civil Procedure 16,
26 26, the Local Rules of the Central District of California (available on the Court’s
27 website at www.cacd.uscourts.gov), this Court’s Order for Jury Trial, and this
28 Court’s Order for Court Trial.

1 **UNLESS OTHERWISE ORDERED BY THE COURT, THE**
2 **FOLLOWING RULES SHALL APPLY:**

3 **1. Service of the Complaint.** The Plaintiff(s) shall promptly serve the
4 Complaint in accordance with Fed. R. Civ. P. 4 and file the proofs of service
5 pursuant to Local Rule. Any Defendant(s) not timely served shall be dismissed
6 from the action without prejudice. Any “DOE” or fictitiously-named Defendant(s)
7 who is not identified and served within 90 days after the case is filed shall be
8 dismissed pursuant to Federal Rule of Civil Procedure 4(m). Proof of service
9 of the summons and complaint shall be filed within 5 days of service of said
10 documents.

11 **2. Removed Actions.** Any answers filed in state court must be refiled in
12 this Court as a supplement to the petition. Any pending motions must be re-noticed
13 in accordance with Local Rules. If an action is removed to this Court that contains
14 a form pleading, i.e., a pleading in which boxes are checked, the party or parties
15 utilizing the form pleading must file an appropriate pleading with this Court within
16 thirty (30) days of receipt of the Notice of Removal. The appropriate pleading
17 referred to must comply with the requirements of Federal Rules of Civil Procedure,
18 Rules 7, 7.1, 8, 9, 10 and 11.

19 **3. Petitions under 18 U.S.C. Section 983(f).** Petitioner(s) shall file and
20 serve within 3 days of the date of this order an ex parte application requesting a
21 hearing on the Petition to ensure prompt resolution of the Petition in compliance
22 with section 983(f)’s deadlines.

23 **4. Presence of Lead Counsel.** The attorney attending any proceeding
24 before this Court, including all status and settlement conferences, must be the lead
25 trial counsel.

26 **5. Discovery.** All discovery matters have been referred to a United States
27 Magistrate Judge to hear all discovery disputes. (The Magistrate Judge’s initials
28 follow the Judge’s initials next to the case number.) All documents must include

1 the words “DISCOVERY MATTER” in the caption to ensure proper routing.

2 Counsel are directed to contact the Magistrate Judge’s Courtroom Deputy Clerk
3 to schedule matters for hearing. Please do not deliver courtesy copies of these
4 papers to this Court.

5 The decision of the Magistrate Judge shall be final, subject to modification
6 by the District court only where it has been shown that the Magistrate Judge’s
7 order is clearly erroneous or contrary to law. Any party may file and serve a motion
8 for review and reconsideration before this Court. The moving party must file and
9 serve the motion within ten (10) days of service of a written ruling or within ten
10 (10) days of an oral ruling that the Magistrate Judge states will not be followed by
11 a written ruling. The motion must specify which portions of the text are clearly
12 erroneous or contrary to law, and the claim must be supported by points and
13 authorities. Counsel shall deliver a conformed copy of the moving papers and
14 responses to the Magistrate Judge’s clerk at the time of filing.

15 **6. Motions.** Motions shall be filed and set for hearing in accordance with
16 Local Rule 6-1, except that this Court hears motions on Mondays commencing at
17 9:00 a.m. If Monday is a national holiday, this Court will hear motions on the
18 succeeding Tuesday. If the date the motion was noticed for hearing is not available,
19 the Court will issue a minute order resetting the date. Any opposition or reply
20 papers due on a holiday are due the preceding Friday, not the following Tuesday.

21 **Memoranda of Points and Authorities in support of or in opposition to**
22 **motions shall not exceed 20 pages. Replies shall not exceed 10 pages.** Only
23 in rare instances and for good cause shown will the Court agree to extend these
24 page limitations. Pursuant to Local Rule 11-3.1.1, either a proportionally spaced
25 or monospaced font may be used. A proportionally spaced font must be 14-point
26 or larger, or as the Court may otherwise order. A monospaced font may not contain
27 more than 10½ characters per inch.

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Motions, Oppositions, and Replies shall be electronically filed only.

With the exception of physical exhibits, all documents supporting the motion, opposition, or reply (e.g., declarations, exhibits, statements of undisputed or disputed facts, judicial notices) shall also be electronically filed only, and filed as attachments to the corresponding brief. Furthermore, each supporting document shall be filed as an individual attachment, such that each document can be accessed by its own individual link. Each attachment shall be designated by the title of the document.

Example (Docket Entry for Defendant's Notice of Motion and Motion for Summary Judgment):

Document Selection Menu

Select the document you wish to view.

Document Number: 100 23 pages 150 kb

Attachment	Description		
<u>1</u>	Separate Statement of Undisputed Facts	10 pages	50 kb
<u>2</u>	Declaration of Bob Smith	4 pages	30 kb
<u>3</u>	Exhibit A - Purchase Agreement	5 pages	1.2 mb
<u>4</u>	Exhibit B - Jones Deposition	10 pages	0.9 mb
<u>5</u>	Exhibit C - Thomas Declaration	3 pages	23 kb
<u>6</u>	Proposed Order	2 pages	20 kb

Within the parties' briefs, any reference to information or evidence contained in the supporting documents shall contain the documents' location in the citation. Example: Plaintiff and Defendant executed the Purchase Agreement on January 2, 2010. (Purchase Agreement, Smith Decl., Ex. A at p.5, Docket entry) 100-3

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1 Motions for Summary Judgment: Without prior permission from the Court,
 2 no party may file more than one motion pursuant to Fed.R.Civ. P. 56 regardless
 3 of whether such motion is denominated as a motion for summary judgment or
 4 summary adjudication.

5 Motions to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6): Where a defendant
 6 has filed a Rule 12(b)(6) motion, and in lieu of filing an opposition, if the plaintiff
 7 intends to file an amended complaint, the plaintiff shall file either the Amended
 8 Complaint or a Notice of Intent to File Amended Complaint prior to the date on
 9 which the other than opposition is due. Failure to do so may result in sanctions.

10 **7. Motion for Class Certification**. For any action purporting to commence
 11 a class action other than an action subject to the Private Securities Litigation
 12 Reform Act of 1995, the plaintiffs must file a Motion for Class Certification no
 13 later than 90 days from the date the complaint was served, unless showing of good
 14 cause has been made.

15 **8. Proposed Orders**. Each party filing or opposing a motion or seeking the
 16 determination of any matter (*e.g.*, ex parte applications, stipulations, and general
 17 requests) shall electronically file and lodge a proposed order setting forth the relief
 18 or action sought and a brief statement of the rationale for the decision with
 19 appropriate citations.

20 **9. Preparation of Documents/PDF**. Counsel shall adhere to Local Rule
 21 5-4.3.1 with respect to the conversion of all documents to a PDF so that when
 22 a document is electronically filed, it is in the proper size and format that is **PDF**
 23 **searchable**.

24 **10. Telephonic and/or Video Hearings**. The Court does not permit
 25 appearances or arguments by way of telephone conference calls or remote video
 26 appearance.

27 **11. Ex Parte Applications**. The Court considers ex parte applications on
 28 the papers and does not usually set these matters for hearing. If a hearing is

1 necessary, the parties will be notified. Ex parte applications are solely for
2 extraordinary relief and should be used with discretion. Sanctions may be imposed
3 for misuse of ex parte applications. See Mission Power Engineering Co. v.
4 Continental Casualty Co., 883 F.Supp. 488 (C.D. Cal. 1995).

5 Counsel's attention is directed to the Local Rules. The moving party shall
6 serve the opposing party and shall notify the opposition that opposing papers must
7 be filed not later than 3:00 p.m. on the first business day following service. If
8 counsel does not intend to oppose an ex parte application, he or she must inform
9 the Courtroom Deputy Clerk at joseph_remigio@cacd.uscourts.gov.

10 **12. Continuances.** This Court has a strong interest in keeping scheduled
11 dates certain. Changes in dates are disfavored. Trial dates set by the Court are firm
12 and will rarely be changed. Therefore, a stipulation to continue the date of any
13 matter before this Court **must** be supported by a sufficient basis that demonstrates
14 good cause why the change in the date is essential. Without such compelling
15 factual support, stipulations continuing dates set by this Court will not be approved.
16 Counsel requesting a continuance must file a stipulation and lodge a proposed
17 order including a **detailed** declaration of the grounds for the requested continuance
18 or extension of time. See Local Rules. Failure to comply with the Local Rules and
19 this Order will result in rejection of the request without further notice to the parties.
20 Proposed stipulations extending scheduling dates do not become effective unless
21 and until this Court so orders. Counsel wishing to know whether a stipulation has
22 been signed shall comply with the applicable Local Rule.

23 **13. Communications with Chambers.** Counsel shall not attempt to
24 contact the Court or its staff by telephone or by any other ex parte means. Counsel
25 may contact the Courtroom Deputy Clerk with appropriate inquiries only. Counsel
26 shall not contact the Courtroom Deputy regarding status of ruling on motions, ex
27 parte applications or stipulations. Counsel shall not contact the Court to ask if
28 a matter is going forward. Notice will be given if the matter is taken off calendar.

1 **14. Order Setting Scheduling Conference.** Pursuant to Federal Rule of
 2 Civil Procedure 16(b), the Court will issue an Order setting a Scheduling
 3 Conference as required by Federal Rule of Civil Procedure 26 and the Local Rules
 4 of this Court. Strict compliance with Federal Rules of Civil Procedure 16 and 26
 5 is required.

6 **15. Notice of this Order.** Counsel for plaintiff or plaintiff (if appearing on
 7 his or her own behalf) shall immediately serve this Order on all parties, including
 8 any new parties to the action. If this case came to the Court by a Petition for
 9 Removal, the removing defendant(s) shall serve this Order on all other parties.

10 **16. Courtesy Copies.** Chambers copies are not required at this time with
 11 exception of any copies specifically requested by the Court, any physical items
 12 including CD's or flash drives, and any sealed documents and criminal documents
 13 as set forth below. Any paper copy or physical item to be delivered to the Court
 14 shall be delivered to and placed in the Judge's courtesy box, located outside of the
 15 Clerk's office, on the 12th floor of the Roybal Federal Building, 255 East Temple
 16 Street, Los Angeles. Chambers copies of under seal documents shall all be placed
 17 together in a manila envelope labeled "UNDER SEAL."

18 **Criminal matters:**

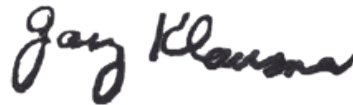
19 Sentencing memoranda greater than 20 pages in length. All exhibits, declarations,
 20 etc. to chambers copies must be tabbed, where applicable. Blue-backs and hole
 21 punches are not required. Chambers copies of under seal documents shall all be
 22 placed together in a manila envelope labeled "UNDER SEAL."

23 **17. Applications to File Documents Under Seal.** For detailed instructions
 24 and information on the procedures for filing documents under seal, please refer
 25 to Local Rule 79-5 *Confidential Court Records - Under Seal*. With regard to
 26 Under-seal Documents in Non-sealed Civil Cases (L.R. 79-5.2.2), the filing party
 27 shall not provide a chambers or courtesy copy of the Application or any associated
 28 documents. Please bear in mind that all applications must (1) indicate which

1 portions of the documents to be filed under seal are confidential; and (2) provide
2 reason(s) as to why the parties' interest to file the document(s) under seal outweighs
3 the public's right to access. If a party submits an application to file under seal
4 pursuant to a protective order only (i.e., no other reason is given), **the Court will**
5 **automatically deny the application** if the party designating the material as
6 confidential does not file a declaration pursuant to L.R. 79-5.2.2(b)(i). This
7 declaration shall be entitled: "DESIGNATING PARTY'S DECLARATION IN
8 SUPPORT OF APPLICATION TO FILE UNDER SEAL PURSUANT TO
9 PROTECTIVE ORDER".

10 **IT IS SO ORDERED.**

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12 DATED: April 13, 2023



13 R. Gary Klausner
14 United States District Judge
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